

**SAO**

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Attorneys for Defendant,

SPARKS MARKETING, LLC

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

PIRAYEH M. NAJMABADI, an  
individual,

Plaintiff,

vs.

THELIOS USA INC., a Foreign  
Corporation; LVMH MOET HENNESSY  
LOUIS VUITTON INC., a Foreign  
Corporation; SPARKS MARKETING,  
LLC, a Foreign Limited-Liability  
Company; DOES I through X; and ROE  
CORPORATIONS XI through XX,  
inclusive,

Defendants.

Case No. 2:24-cv-00217-GMN-DJA

**~~STIPULATION AND ORDER  
TO EXTEND DISCOVERY  
DEADLINES (FIRST REQUEST)~~**

**IT IS HEREBY STIPULATED AND AGREED TO** by and between Plaintiff

PIRAYEH M. NAJMABADI ("Plaintiff"), by and through her attorney of record,

Brian E. Lunt, Esq. of the law firm Edward M. Bernstein & Associates, and Defendants

THELIOS USA INC., and LVMH MOET HENNESSY LOUIS VUITTON INC., by

and through their attorney of record, Loren S. Young, Esq. of the law firm Lincoln

Gustafson & Cercos LLP, and Defendant SPARKS MARKETING, LLC ("Defendant

Sparks”), by and through its attorneys of record, Lucian J. Greco, Esq., and Melissa Ingleby, Esq., of the law firm Bremer Whyte Brown & O’Meara LLP, and for good cause that the discovery deadlines in the above-entitled matter be extended by one hundred twenty (120) days to allow for necessary discovery.

## I.

### **DISCOVERY COMPLETED TO DATE**

Listed below is a statement specifying the discovery completed in this case:

1. Plaintiff’s Initial List of Witnesses and Production of Documents made pursuant to FRCP 26(a)(1).

2. Defendants’ THELIOS USA INC., and LVMH MOET HENNESSY LOUIS VUITTON INC Initial List of Witnesses and Production of Documents made pursuant to FRCP 26(a)(1).

3. Defendant SPARKS MARKETING, LLC Initial List of Witnesses and Production of Documents made pursuant to FRCP 26(a)(1).

## II.

### **DISCOVERY REMAINING TO BE COMPLETED**

The Parties plan to complete the following discovery:

1. Written discovery of all parties;
2. Subpoena new medical records for recent treatment of Plaintiff
3. Depositions of various witnesses including, but not limited to:
  - a. The parties;
  - b. The parties’ retained initial and rebuttal experts; and

1 c. Other percipient witnesses as needed;

2 4. Initial Expert Disclosures;

3 5. Rebuttal Expert Disclosures; and

4 6. Other discovery as needed.

6 **III.**

7 **REASONS DISCOVERY HAS NOT BEEN COMPLETED**

8  
9 Good cause exists to grant the Parties' request for an extension to discovery  
10 deadlines. This is the first request for an extension. Despite the parties' diligence and  
11 good faith attempts to pursue discovery in preparation for their respective case,  
12 majority of discovery remains to be completed.  
13

14  
15 To that end, the parties recently learned of two new parties that must be brought  
16 into the case. As a result, the parties agreed to stipulate to leave to file a Third-Party  
17 Complaint and bring the new parties into the matter. A Stipulation and Order in that  
18 regard was recently granted. Therefore, the parties respectfully request a 120-day  
19 extension to allow the new third party to participate in discovery. As such, the  
20 deadlines cannot be reasonably met despite the diligence of the Parties who seek the  
21 extension. *See Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir.  
22 1992).  
23

24  
25 The parties are actively engaging in discovery in this matter. Furthermore, the  
26 parties are acting in good faith in filing this Stipulation and without an intent to  
27 improperly delay the proceedings. Continuing the deadlines for completing discovery  
28

will not prejudice any party or have a negative impact upon the judicial administration of this Honorable Court. Accordingly, the Parties are requesting a 120-day extension to all remaining discovery deadlines.

#### IV.

#### **PROPOSED SCHEDULE FOR COMPLETING DISCOVERY**

The Parties hereto, and for good cause described in this stipulation, and in accord with Local Rule 6-1 and Local Rule 26-3, request this Honorable Court to adopt and approve this stipulated extension to the discovery plan, and continue the discovery deadlines as requested below:

DISCOVERY EVENT	CURRENT DEADLINES	PROPOSED DEADLINES
Add Parties and Amended Pleadings	April 30, 2024	<b>August 28, 2024</b>
Initial Expert Disclosures	May 30, 2024	<b>September 27, 2024</b>
Rebuttal Expert Disclosures	June 28, 2024	<b>October 28, 2024</b>
Close of Discovery	July 29, 2024	<b>November 29, 2024</b>
Dispositive Motions	August 28, 2024	<b>December 26, 2024</b>
Joint Pre-Trial Order	September 27, 2024	<b>January 27, 2025</b>

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The parties hereby stipulate to the proposed changes in the discovery deadlines.

Dated: April 30<sup>th</sup>, 2024

Dated: April 30<sup>th</sup>, 2024

BREMER WHYTE BROWN  
& O'MEARA LLP

EDWARD M. BERNSTEIN &  
ASSOCIATES

/s/ Melissa Ingleby

/s/ Brian E. Lunt

LUCIAN J. GRECO, JR., ESQ.

BRIAN E. LUNT, ESQ.

Nevada State Bar No. 10600

Nevada State Bar No. 11189

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Suite 250

Las Vegas, Nevada 89144

*Attorneys for Defendant*

SPARKS MARKETING, LLC

Dated: April 30<sup>th</sup>, 2024

LINCOLN, GUSTAFSON & CERCOS

/s/ Loren S. Young

LOREN S. YOUNG, ESQ.

Nevada State Bar No. 7567

7670 West Lake Mead Boulevard

Las Vegas, Nevada 89128

*Attorney for Defendants*

THELIOS USA INC. & LVMH MOET

HENNESSY LOUIS VUITTON INC.

**ORDER**

Based upon the stipulation of the parties hereto, and for good cause appearing:  
IT IS HEREBY ORDERED that the discovery deadlines are extended as follows:

Event:	Deadline:
Motions to amend pleadings and add parties:	August 28, 2024
Expert Designations:	September 27, 2024
Rebuttal Expert Designations:	October 28, 2024
Discovery Cutoff Date:	November 29, 2024
Dispositive Motions:	December 26, 2024
Joint Pre-Trial Order:	January 27, 2025

  
DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

DATED: May 1, 2024

Respectfully submitted,

BREMER WHYTE BROWN & O'MEARA LLP

By: /s/ Melissa Ingleby

LUCIAN J. GRECO, JR., ESQ.

Nevada Bar No. 10600

MELISSA INGLEBY, ESQ.

Nevada Bar No. 12935

*Attorneys for Defendant*

*Sparks Marketing, LLC*

## Kay Agustin

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**Subject:** FW: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

**Importance:** High

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**From:** Brian E. Lunt <[blunt@edbernstein.com](mailto:blunt@edbernstein.com)>

**Sent:** Tuesday, April 30, 2024 4:04 PM

**To:** Melissa Ingleby <[mingleby@bremerwhyte.com](mailto:mingleby@bremerwhyte.com)>; Loren Young <[lyoung@lgclawoffice.com](mailto:lyoung@lgclawoffice.com)>; Cheryl Giammona <[CGiammona@lgclawoffice.com](mailto:CGiammona@lgclawoffice.com)>; Alicia Lutz <[alutz@edbernstein.com](mailto:alutz@edbernstein.com)>

**Cc:** Lucian J. Greco, Jr. <[lgreco@bremerwhyte.com](mailto:lgreco@bremerwhyte.com)>; Kay Agustin <[kagustin@bremerwhyte.com](mailto:kagustin@bremerwhyte.com)>; Katarzyna A. Hunt <[khunt@bremerwhyte.com](mailto:khunt@bremerwhyte.com)>; [NajmabadiTheliosLVMHZ4560627@lgclawoffice.filevineapp.com](mailto:NajmabadiTheliosLVMHZ4560627@lgclawoffice.filevineapp.com)

**Subject:** Re: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Melissa,

You have my permission to use my electronic signature as well.

Sincerely,

**Brian E. Lunt, Esq**

Senior Associate Attorney

**Edward M. Bernstein & Associates**

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**From:** Melissa Ingleby <[mingleby@bremerwhyte.com](mailto:mingleby@bremerwhyte.com)>

**Sent:** Tuesday, April 30, 2024 12:27 PM

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**Subject:** RE: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Thanks for catching that, Loren!

Brian – any changes?

Thanks, all!

**Melissa Ingleby**

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**From:** Loren Young <[lyoung@lgclawoffice.com](mailto:lyoung@lgclawoffice.com)>

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**Subject:** RE: Najmabadi v. Thelios USA Inc., et al. /BWBO 1287.761

Thanks. I had a couple redlines to the attached.